



**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 192 (as amended)  
Town and Country Planning General Permitted Development Order 2015 (as amended)

**APPLICATION NO. 2024/0605**

**To** Mr Justin Smith  
Rotherwood  
The Green  
Penistone  
Sheffield  
S36 6BL

Barnsley Metropolitan Borough Council hereby certify that the development described in the First Schedule hereto, in respect of the land specified in the Second Schedule hereto and edged red on the plan submitted as part of this application, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reasons:

- In accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015, the development falls within Class A (enlargement, improvement or other alteration of a dwellinghouse) of (PART 1 - Development within the curtilage of a dwellinghouse).

**First Schedule:**

Lawful development certificate for proposed fitting of solar panels to roof

**Second Schedule:**

Rotherwood, The Green, Penistone, Sheffield, S36 6BL

The approval is subject on compliance with the following:

- 1 The scheme hereby approved shall be carried out strictly in accordance with the listed approved plans and specifications as approved unless required by other conditions of this permission.  
The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on drawing numbers:
  - PV module layout - Sectional view on roof
  - PV module layout - South facing roof
  - Location Plan

**Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.**

**Informative(s):**

The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.



Dated: 15 August 2024

**Garry Hildersley**

Head of Planning, Policy & Building Control  
Growth & Sustainability Directorate

**Notes:**

1. This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended)
2. It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the provision in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

Please be aware that the Council monitors construction sites and open land within the vicinity of such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of any development is disposed of via approved methods and that documents are retained to prove this.